

Holland & Knight

111 S.W. Fifth Avenue, 2300 U.S. Bancorp Tower | Portland, OR 97204 | T 503.243.2300 | F 503.241.8014
Holland & Knight LLP | www.hklaw.com

Shannon Armstrong
+1 503-517-2924
Shannon.Armstrong@hklaw.com

April 18, 2019

Via E-mail (LaRondB@atg.wa.gov)

La Rond Baker
Attorney General of Washington
Civil Rights Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104

Re: *State of Washington v. The GEO Group, Inc.*, Case No. 17-cv-05806

Dear La Rond:

I write to follow up on our conversation on April 15, 2019 about Ryan Kimble's upcoming deposition in light of the pending mandamus action in the Ninth Circuit Court of Appeals. As you know, Mr. Kimble has a significant role in the financial operations of the Northwest Detention Center in Tacoma, Washington. As part of his job duties, Mr. Kimble has personal knowledge of at least portions of the financial information that The GEO Group, Inc. ("GEO") has sought to protect through the pending mandamus action.

As we discussed, Mr. Kimble cannot testify about financial information that is currently the subject of the mandamus action. We understand that the State would prefer Mr. Kimble's deposition to proceed on April 23. GEO is willing to allow the deposition to continue as scheduled provided that the State agree that it will not question Mr. Kimble on topics that would implicate the subject of the mandamus action. GEO is further willing to keep the deposition open pending a decision on the mandamus action, thus permitting the State to obtain testimony from Mr. Kimble on these issues if permitted by the Ninth Circuit.

If the State agrees to the above proposed limitations, then the deposition of Mr. Kimble will go forward on April 23. However, if the State does not agree to limit its questioning of Mr. Kimble and leave the deposition open, or come to some other mutually acceptable agreement, GEO will seek a protective order from the Court. Please let us know no later than Friday, April 19 whether the State will agree to GEO's proposal, or has another proposal for GEO to consider.

La Rond Baker
April 18, 2019
Page 2

We also understand from our call on Monday that the State has identified—and intends to use at Mr. Kimble’s deposition—GEO’s financial documents that have been produced by GEO in this litigation. While the State has not specifically identified those documents, we have reviewed GEO’s production and identified a number of documents that our predecessor counsel inadvertently produced. Under paragraph 4 of the parties’ Rule 502(d) Order (Dkt. # 61), we request the documents listed below be returned to GEO, destroyed, or deleted within ten business days. We also note that the State may not use the below identified materials, including at any depositions, unless the documents are later designated to not be protected by the Court.

GEO-State 022245	GEO-State 036735
GEO-State 022246	GEO-State 047721
GEO-State 022247	GEO-State 047724
GEO-State 022248	GEO-State 047907
GEO-State 022358	GEO-State 047910
GEO-State 022359	GEO-State 048155
GEO-State 022360	GEO-State 049244
GEO-State 035580	GEO-State 049253
GEO-State 035582	GEO-State 049254
GEO-State 035583	GEO-State 049255
GEO-State 035584	GEO-State 053327
GEO-State 036063	GEO-State 227808
GEO-State 036725	GEO-State 229533

Please let me know if you have any questions.

Sincerely,

HOLLAND & KNIGHT LLP



Shannon Armstrong

SA:ar

cc: Marsha Chien; Andrea Brenneke; Lane Polozola; Jamal N. Whitehead; Adam J. Berger;
Lindsay L. Halm; R. Andrew Free; Devin T Theriot-Orr; Meena Pallipamu Menter